IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Bail Appl..No. 1969 of 2007()

Crime No.69/2007 of Neeleshwar Police Station

: PETITIONERS/ACCUSED:

P. MURALI, AGED 40 YEARS,
S/O.GOVINDAN, WEAVERS' STREET,
NEELESWAR, KASARGOD DISTRICT.

BY ADV. SRI.SURESH KUMAR KODOTH
SRI.V.SETHUKUTTY AMMA

RESPONDENTS: STATE:

STATION HOUSE OFFICER,
NEELESWAR POLICE STATION, REPRESENTED
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1969 OF 2007 A

Dated this the 2nd day of April, 2007

O R D E R

Petitioner, who is the husband of Omana, who committed suicide on 11.3.2007 by hanging in the matrimonial home, seeks anticipatory bail. He is the accused in Crime No.69/2007 of Neeleshwar Police Station for an offence punishable under section 306 IPC. The case of the prosecution is that the petitioner, who married Omana on 9.5.1999 and who has got one child in that wedlock had subsequently developed an intimacy with a lady by name Mallika, which was to the chagrin of deceased Omana, who eventually committed suicide by hanging.

2. Learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer either on 9.4.2007 or on 10.4.2007 for the purpose of interrogation. The petitioner shall,

thereafter, be produced on the same day before the Magistrate having jurisdiction, who shall consider and dispose of the application for regular bail, if any, filed by the petitioner. Such disposal shall preferably be on the same date on which the application is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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